

BILL NO. 87-36

COUNTY COUNCIL
OF
HARFORD COUNTY, MARYLAND

BILL NO. 87-36

Introduced by Council President Hardwicke at the request of the County Executive

Legislative Day No. 87-24 Date August 11, 1987

AN ACT to repeal and re-enact, with amendments, Section 256-39, heading, Amortization of Capital Expenditure, of Article II, heading, Joppatowne Sanitary Subdistrict, of Chapter 256, heading, Water and Sewers, of the Harford County Code, as amended; to provide for water and sewer connection charges.

By the Council, August 11, 1987

Introduced, read first time, ordered posted and public hearing scheduled

on: September 8, 1987

at: 6:00 P.M.

By Order: Doris Poulsen, Secretary

PUBLIC HEARING

Having been posted and notice of time and place of hearing and title of Bill having been published according to the Charter, a public hearing was

held on September 8, 1987

and concluded on September 8, 1987

Doris Poulsen, Secretary

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. [Brackets] indicate matter deleted from existing law. Underlining indicates language added to Bill by amendment. Language lined through indicates matter stricken out of Bill by amendment.

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1 Section 1. Be It Enacted By The County Council Of Harford County,
2 Maryland, that Section 256-39, heading, Amortization of Capital
3 Expenditure, of Article II, heading, Joppatowne Sanitary
4 Subdistrict, of Chapter 256, heading, Water and Sewers, of the
5 Harford County Code, as amended, be, and it is hereby repealed and
6 re-enacted, with amendments, all to read as follows:

7 Chapter 256. Water and Sewers.

8 Article II. Joppatowne Sanitary Subdistrict

9 (NOTE: Beginning of deleted material.)

10 [Section 256-39. Amortization of Capital Expenditure.

11 A. The capacity of the water and sewer systems of the
12 Joppatowne Sanitary Subdistrict shall not be increased nor shall
13 lines or facilities be extended for the purpose of extending
14 service to areas not presently being serviced, until there is
15 sufficient money collected from or obligated from the new
16 customers to pay for all the capital expenditures for plants,
17 lines, pumping stations and such other facilities as may be
18 necessary to provide for the increased water or sewer capacity.
19 References to the "County" shall mean Harford County, Maryland, or
20 the Maryland Environmental Service, whichever is authorized to
21 perform the services, etc., stated herein by the agreements in
22 effect between the County and the service at the time. For the
23 purposes of this section, areas presently not being serviced are
24 those areas of the subdistrict that do not have lines physically
25 existing in or traversing the area.

26 B. The County shall:

27 (1) Determine whether services are desired by others.

28 (2) Determine the estimated costs of providing the
29 services.

30 (3) Determine the shares to be paid by those to be
31 served.
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1 (4) Require agreements to pay for the services from
2 those desiring services, which can include others to be benefited.
3 The agreement shall include an obligation to pay all costs
4 incurred by the County or the Maryland Environmental Service if
5 the service is not provided.

6 (5) Design the project, determine the estimated cost of
7 construction based on the design and notify those persons
8 requiring the service or those persons to be benefited by the
9 service of the cost estimate.

10 (6) If no objections are received from those persons to
11 be notified in Subsection B(5) above within thirty (30) days of
12 mailing of the notice, take those steps required by law to
13 contract for the construction of the facilities necessary to
14 provide the services.

15 (7) After bids are received and prior to commencing
16 construction, collect the amounts required from those persons
17 obligated by contract to pay, subject to reconciliation of exact
18 amounts owed after construction is complete and the books are
19 closed. However, nothing herein shall prevent the County from
20 financing the cost of construction so long as sufficient money is
21 obligated from new customers to pay the cost of such financing,
22 including principal and interest in accordance with Article I of
23 this Chapter of the Harford County Code and the contract in effect
24 between the Maryland Environmental Service and Harford County.

25 (8) Require the payment of such other charges as may be
26 required by law at the appropriate time. The provisions of this
27 section and any agreements made hereunder shall in no way nor at
28 any time be interpreted to preclude a re-evaluation of the charges
29 that are required to ensure that the persons receiving the service
30 or contracted to receive the service are paying the full cost of
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1 the capital improvements required to provide the service in
2 addition to such other charges as may from time to time be
3 lawfully imposed.

4 C. No request or agreement or solicitation by Harford County
5 shall be interpreted to guarantee or obligate the County to
6 provide services of any nature at any time until the County
7 connects or requires connection or requires payment of such sums
8 from the requestors as is required by law.]

9 (Note: End of deleted material.)

10 SECTION 256-39. CONNECTION CHARGE.

11 A. WITHIN THE JOPPATOWNE SANITARY SUBDISTRICT, THERE IS
12 HEREBY ESTABLISHED A CONNECTION CHARGE THAT SHALL BE PAID BY ALL
13 PERSONS, FIRMS, AND/OR CORPORATIONS WHO ARE REQUIRED TO PAY A
14 CHARGE IN ACCORDANCE WITH THE PROVISIONS ESTABLISHED BY LAW AS
15 FOLLOWS:

16 (1) ONE THOUSAND ONE HUNDRED DOLLARS (\$1,100.00) PER 5/8
17 INCH EQUIVALENT AREA CONNECTION CHARGE FOR ALL WATER CONNECTIONS.

18 (2) THREE THOUSAND FIVE HUNDRED FIFTY DOLLARS (\$3,550.00)
19 PER 5/8 INCH EQUIVALENT AREA CONNECTION CHARGE FOR RESIDENTIAL
20 SEWERAGE CONNECTIONS.

21 (3) SIX THOUSAND FIVE HUNDRED FIFTY DOLLARS (\$6,550.00)
22 PER 5/8 INCH EQUIVALENT AREA CONNECTION CHARGE FOR COMMERCIAL,
23 BUSINESS, OR INDUSTRIAL SEWERAGE CONNECTIONS.

24 B. THE CONNECTION CHARGE SHALL BE PAID AT THE TIME OF
25 PAYMENT OF THE AREA CONNECTION CHARGE.

26 C. THE AMOUNT OF CONNECTION CHARGE SHALL BE DETERMINED IN A
27 MANNER CONSISTENT WITH SECTION 256-44 OF THE HARFORD COUNTY CODE,
28 AS AMENDED.
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1 SECTION 256-39.1. USER BENEFIT ASSESSMENT.

2 A. WITHIN THE JOPPATOWNE SANITARY SUBDISTRICT, THERE IS
3 HEREBY ESTABLISHED A USER BENEFIT ASSESSMENT AS FOLLOWS:

4 (1) THIRTY-FIVE DOLLARS (\$35.00) PER 5/8 INCH EQUIVALENT
5 AREA CONNECTION CHARGE FOR WATER.

6 (2) THIRTY-FIVE DOLLARS (\$35.00) PER 5/8 INCH EQUIVALENT
7 AREA CONNECTION CHARGE FOR SEWER.

8 B. PAYMENT SHALL BE MADE ANNUALLY FOR A PERIOD OF TWENTY-
9 FIVE (25) YEARS.

10 Section 2. And Be It Further Enacted that this act shall take
11 effect sixty (60) calendar days from the date it becomes law.

12 EFFECTIVE: November 10, 1987

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14 *The Secretary of the Council does hereby*
15 *certify that fifteen (15) copies of this Bill*
16 *are immediately available for distribution to*
17 *the public and the press.*

18 *Doris Poulsen*, Secretary
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BY THE COUNCIL

BILL NO. 87-36

Read the third time.

Passed LSD 87-26 (September 8, 1987)

Failed of Passage _____

By Order

Doris Poulsen, Secretary

Sealed with the County Seal and presented to the County Executive
for his approval this 9th day of September, 1987
at 3:00 o'clock P.M.

Doris Poulsen, Secretary

BY THE EXECUTIVE

APPROVED:



Georgi Madaden, acting
County Executive

Date 9/11/87

BY THE COUNCIL

This Bill (No. 87-36), having been approved by the Executive
and returned to the Council, becomes law on September 11, 1987.

Doris Poulsen, Secretary

EFFECTIVE DATE: November 10, 1987

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